

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-10 and 17-25. Claims 1, 17, 19 and 21-25 are amended herein. No new matter is presented. Claims 11-16 remain cancelled.

Thus, claims 1-10 and 17-25 are pending and under consideration. The rejections are traversed below.

REQUEST FOR EXAMINER INTERVIEW:

Applicants respectfully request that the Examiner contact the undersigned at the convenience of the Examiner and before acting on the application to conduct an Examiner Interview, in order to expedite prosecution of the application.

REJECTION UNDER 35 U.S.C. § 112¶1:

On page 3 of the Office Action the Examiner rejected claims 1-10, 17-22 and 25 under 35 U.S.C. §112, first paragraph. Claims 1, 17, 19 and 21-25 are amended herein.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112¶2:

Starting on page 4 of the Office Action, the Examiner rejected claims 1-10, 17-22 and 25. Claims 1, 17, 19 and 21-25 are amended herein.

The Examiner indicates that article picture arrangement data being independent of the data sending rank is unclear, and that the "upon receiving" operation in claim 1 is dependent upon the data sending rank.

The "receiving" recitation in claim 1 is directed to "an article search" from the user, while the "arrangement data" specifies display positions of the pictures after the search and "data sending rank" indicates the sequence of transmission for the pictures. More specifically, the claimed invention includes article picture arrangement data indicating "display positions" of the search resultant article pictures that is independent of the data sending rank which defines "an order in which the search resultant article pictures are to be sent." Meaning, the display positions are separate and independent of the data sending order. Pertinent claims are amended herein to clarify this feature.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

On page 6 of the Office Action the Examiner rejected claims 1-10 and 17-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0002502 (Maes) in view of U.S. Patent Application Publication No. 2003/0061211 (Shultz).

The invention of claim 1, by way of example, includes "data **sending rank**" that defines "an order in which said search resultant article pictures are to be sent" and "article picture arrangement data" indicating **display positions** of the search resultant article pictures (emphasis added). Further, the display positions of the pictures and the order in which the pictures are sent to the terminal are "independent" from one another. Independent claims 17 and 19 recite similar features.

For example, pictures of articles A, B, C that are similar to each other are displayed closer to each other, while pictures of articles D, E, F are displayed close to each other (i.e., based on "article picture arrangement data"). Using the same example, data of the pictures of articles A, B, C, D, E and F are sent to the terminal based on the "data sending rank", regardless of the display positions defined for displaying these pictures (i.e., "independent" or different from the display positions).

Independent claim 21 recites, "successively displaying each search resultant article picture as initial search results responsive to an article search request" based on "the article picture arrangement data upon transmission in accordance with the data sending rank which is defined prior to said article search." Meaning, the data sending rank deals with the order in which the resultant article pictures "are to be sent" which is independent from the "display positions of said search resultant article pictures on a screen of a terminal."

Claim 22 also recites, "transmitting the search resultant article images in an order defined prior to said search request that is independent of said ranking indicating display positions of said search resultant article images on a screen" where search resultant article images corresponding to articles with similar features are "positioned to be in adjacent positions among the displayed search resultant article images."

Similarly, claim 23 recites, "sorting by determining similarities among the search resultant images [and] said sorting indicating display positions of said search resultant images on a display screen" where the articles with similar features are displayed as "a unified group based on said sorting and transmitted based on a rank defined prior to said search request."

Independent claims 24 and 25 respectively recite, "displaying the article images [at] said display positions assigned, where said display positions are independent of a sending order indicating a rank in which said article images are to be sent" and "sorting pictures indicating a first order for displaying said pictures by determining similarities among pictures matching said search request [and] transmitting said pictures according to a second order indicating a sequence in which said pictures are to be sent regardless of said first order."

The Examiner maintains the comparison of Maes that assigns a value to an attribute of a product for presenting a candidate product based on an attribute selected by a user who is viewing pictures of products. Meaning, Maes is directed to facilitating user selection of one or more products that have a similar attribute value only after having the user view and select an attribute value from the article pictures (see, Fig. 3 including corresponding text).

Per the Examiner's own assertion, Maes does not teach or suggest determining "similarities of resultant article pictures", "data sending rank" and displaying in accordance with "the article picture arrangement data", but relies on Shultz as teaching the same.

As Shultz merely discusses assigning relevance to search results by limiting the results to user-specified geographic criteria, Shultz does not cure the deficiencies of Maes regarding the claimed invention.

In particular, Shultz discusses sorting search results according to user preference and/or a predefined search result sorting routine. The Shultz sorting only pertains to criteria retrieved from the database such as location, advertising information and business information (see, paragraph 60). However, Shultz does not teach or suggest an order for *sending* the results of the search and another order for *displaying* pictures contained in the results, as taught by the claimed invention.

At best, Shultz discusses arranging information for display to the user by defining an area of a map for display, highlighting entities identified in the search results on the displayed map, etc. (see, paragraph 61). However, Shultz does not teach or suggest how the information is transmitted including "data sending rank" independent of "display positions", as taught by the claimed invention.

It is respectfully submitted that the independent claims are patentably distinguish over Maes and Shultz.

For at least the above mentioned reasons, claims depending from claims 1, 17 and 19 are patentable over the references.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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